OPENING OF THE LEGAL YEAR 2026

Introduction.

May it please your Lordship.

I would like to welcome our guests, the Chief Minister, Sir Bob Neil KC Freeman of the City of Gibraltar and other distinguished guests.

I would also wish to express the regret of the Bar at the death of **Felix Pizzarello**, a truly legendary figure of the Gibraltar Bench. Many of us remember him especially for when, as Coroner, he presided over the inquest into the three IRA deaths in 1988, but there was much more he achieved in his illustrious career which I am sure, My Lord, you will be addressing.

Treaty

My Lord, after so many years describing how we have been navigating the fallout of Brexit, it is with a tremendous sense of satisfaction (and dare I say relief) that it all came to fruition on 15 July 2026 when the provisional application of the treaty started. Ratification is expected to be completed at Westminster (CRAG process) by October and in the European Parliament (consent) by December.

Our overriding objective of avoiding a hard land border with Spain, without compromising sovereignty, has been achieved. It has been done through the establishment of bespoke arrangements with the Schengen Area and the EU Customs Union.

As anticipated, we have had the teething problems that were inevitable for a change of the magnitude brought about by this treaty. But what I see, over two months on, is that no online gaming company or financial services company has left Gibraltar; trucks are now coming into Gibraltar in the same numbers as before 15 July; our hospital and our care homes continue to function with normality and tourists continue to flow through the land border.

The stability provided by the treaty is what will allow our profession to continue to thrive. In the months to come, we will continue the relentless work to further implement and facilitate operational matters, particularly for our traders.

I would like to pay tribute to the Chief Minister and Deputy Chief Minister for the political leadership and courage they have shown during these 10 years to make this vital treaty a reality.

Government Law Offices.

My Lord, the work of the **OPC (Office of Parliamentary Counsel) and OAC (Office of Advisory Counsel)** has **also** been dominated by the treaty. This is work that started well before 15 July.

With regard to the **OPC**, the implementation of the treaty has represented one of the largest and most complex legislative exercises ever undertaken in Gibraltar. The central piece has been the drafting of the landmark **Treaty on Gibraltar and the European Union Act 2026**, which establishes the legal architecture for the implementation of Gibraltar's obligations under the Treaty and provides the necessary powers and mechanisms for its operation in domestic law. In addition to the Act, the Office successfully delivered over **50 pieces of subsidiary legislation** required to implement the Treaty.

In parallel, the **OAC** has been heavily involved in advising and supporting Government Departments and public authorities on a wide range of treaty matters, from customs, immigration, border management, law enforcement and state aid. Many of these raised novel questions requiring detailed consideration not only of the Treaty itself, but of how its provisions would interact with Gibraltar's existing laws.

All that work was done in parallel with both Offices' day-to-day legislative and advisory portfolios which has continued at pace.

In the case of the **OPC**, during the last Legal Year, 33 Bills and 380 Legal Notices have been published and 33 Acts enacted. This has included the **Investigatory Powers Act 2026**, one of the most significant legislative reforms undertaken in recent

years. It creates a comprehensive legal framework for the use of investigatory powers by law enforcement and other public authorities, while introducing extensive safeguards and protections designed to ensure compliance with constitutional and human rights standards.

For its part, the workload at the OCPL (Office of Criminal Prosecutions and Litigation) has continued unabated. Crown Counsel have received Proceeds of Crime training on two separate occasions and are also due to receive specialist **RASSO** (Rape and Serious Sexual Offences) training later this month. This training reflects the rising trend in the number of sexual offences and AML/POCA type cases the Office is handling.

Aside from its everyday prosecution and litigation work, the Office continues to play an important role in the ongoing **Moneyval** assessment process as well as in the **Child Protection Committee** and the **Adult Safeguarding Board**, in both of which we are represented by the DPP.

With regard to **international cooperation**, recent improvements in the Office's handling of foreign requests have resulted in a vastly improved response time, reflecting our commitment to fight crime in the international sphere as well as locally.

In the Last Legal Year, a total of 35 cases were dealt with to conclusion before the **Supreme Court**, with an outcome of guilty in 25 of them, not guilty in 8 and 2 cases withdrawn for lack of evidence. We have had 10 sexual offences cases, a slight increase from last year, with an outcome of guilty in 6 of them.

In the **Magistrates' Court**, excluding minor traffic matters, a total of 427 cases were dealt with to conclusion, with an outcome of guilty in 342 of them, not guilty in 33 and 39 cases withdrawn for lack of evidence.

Openshaw Report

My Lord, the Openshaw Report was published at the end of 2025. Since then, the Government has been steadily progressing the implementation of its recommendations. A key milestone was the publication on 17 April of the **Public Service (Standards and Conflict of Interests) Bill.** This will be followed by the introduction of supporting subsidiary legislation and guidance, and the appointment of a **Commissioner for Standards in Public Life.**

Together, these measures give effect to some of the most significant recommendations contained in the Report.

The Report also contained a recommendation on the role of **the Attorney General.** The recommendation followed an analysis contained in the leading textbook “British Overseas Territories Law” which recognises that in the BOTs the Attorney wears “several different legal hats”. On 17 April I therefore published a "**Protocol on the Roles of His Majesty's Attorney General for Gibraltar**", addressing that recommendation which is signed by the DPP and myself. It is largely inspired from the “**Framework Agreement between the Law Officers and the Director of Public Prosecutions**” in England & Wales.

In parallel, the **Police Governance Reform Steering Group**, established by His Excellency the Governor and the Chief Minister in October 2025, has been meeting regularly to oversee the implementation of the **Report's recommendations relating to policing and to consider wider reforms to police governance.** This collaborative work remains central to ensuring that Gibraltar's policing framework continues to reflect modern standards of accountability, effectiveness and public confidence.

Middle Temple Amity Visit

My Lord, I would like to conclude by **celebrating** a very recent event. The **Middle Temple Amity Visit** to Gibraltar this week.

With so many Middle Templars in our jurisdiction it is fantastic that these Visits take place. In his Keynote Speech on Wednesday, the Chief Minister recalled how the Middle Temple has become the Inn of predilection for barristers in Gibraltar, dating back to Sir Joshua's time at the Bar.

A strong delegation of 95 Middle Templars, led by the outstanding Master Treasurer, Bernard Richmond KC, has been with us for the last two days and we have been regaled to sessions on issues as diverse as Collegiality, Integrity and Law in the 21st. Century; RASSO and Vulnerable Witnesses; Financial Services and Crypto; and Relations with the EU.

The sessions have been enriching and the Visit has been great fun and a wonderful opportunity to link up with old friends and make new ones. Long may they continue. I would also like to congratulate Master Guzman who was Called to the Bench during the dinner held on Wednesday night and bringing our complement of Gibraltar Benchers to full parity of three women and three men.

CONCLUSION.

My Lord, in conclusion, and as ever, it remains for me to formally move for the Opening of the Legal Year.

Michael Llamas CMG KC
HM Attorney General for Gibraltar
25 September 2026